

REMARKS

Claims 1-12 are pending in this application. By this Amendment, Claims 1-10 are amended and claims 11 and 12 are added. No new matter is added. Support for the change to claim 1 may be found, for example, on page 8, lines 20-22 and in Figs. 3, 4, 6 and 7. Claims 2, 3 and 5 have been amended to incorporate the features of claim 1. Claim 9 has been amended to address the claim objection. Support for new claims 11 and 12 may be found, for example, in Figs. 3, 4 and 6.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Hannaher in the April 10 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Applicants thank the Examiner for the indication that claims 2-9 contains allowable subject matter. Applicants have amended claims 2, 3 and 5 to incorporate the features of claim 1. Thus, as acknowledged by the Examiner, at least claims 2, 3 and 5, as well as claims 4 and 6-9, variously dependent therefrom, are in condition for allowance.

Claims 1 and 10 stand rejected under 35 U.S.C. §102(b) over Beratan et al., U.S. Patent No. 5,638,599 (hereinafter Beratan '599.) This rejection is respectfully traversed.

As discussed during the interview, Applicants note that the applied reference incorporates by reference, a related application, Serial No. 08/412,817, now U.S. Patent No. 5,627,082 which is a parent application of a divisional application, now U.S. Patent No. 5,656,848, all issued to Beratan et al. (*see* Beratan '599, column 1, lines 30-34.) Beratan '082 and Beratan '848 contain the same disclosure, but have a different disclosure from Beratan '599. Beratan '082 and Beratan '848 are directed to a detector structure and will be referred to in the following arguments to identify the differences between the claimed detectors and the detectors disclosed by Beratan in these three patents.

Claim 1 is directed to a thermal electromagnetic radiation detector comprising, in pertinent part,..." an absorbent membrane fixed in suspension onto a front face of a substrate ... support means thermally insulating the membrane from the substrate ...the support means ... in contact with the membrane by a limited number of bearing points."

As further discussed in the interview, Beratan '599 does not teach or suggest a membrane that is fixed in suspension onto a substrate. In Beratan '599, the detector sensing array 46, comprised of optical coating 32 and multiple pixels 34, is not suspended. The detector is made by a stack of layers and almost the totality of the space between the array 46 and the integrated circuit 48 is filled with the porous material 64. *See* Beratan '599, Fig. 9; Beratan '848, Fig. 13. Moreover, Beratan '848 teaches that porous material 64 performs the function of a backfill material. (*See* column 8, lines 58-61.) Therefore, there are multiple connection points between the sensing array 46 and the integrated circuit 48, and the array 46 is not suspended. As agreed in the interview, Beratan '599 does not teach or suggest an absorbent membrane fixed in suspension and a detector in which the number of bearing points are limited to improve the thermal insulation in the detector. Withdrawal of the 35 U.S.C. §102(b) rejection of claims 1 and 10 is thus respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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